

281.012 Definitions.

As used in this chapter, unless the context requires otherwise:

- (1) "Suburban area" means territory wholly within the State of Kentucky which extends not more than two (2) air miles beyond the corporate limits of any municipality except an urban-county and one (1) mile additional for each fifty thousand (50,000) population or major fraction thereof, and, where one (1) or more municipalities are contiguous or adjoining, the combined population of such contiguous or adjoining municipalities shall be considered in determining the suburban area of each such contiguous or adjoining municipality. Where all units of city and county government have been merged to form an urban-county government, "suburban area" means territory which extends not more than two (2) air miles beyond the corporate limits of any such unit of city government as fixed and established immediately prior to the effective date of the merger and one (1) additional mile for each fifty thousand (50,000) population or major fraction thereof of said city as determined by the last federal census prior to the effective date of the merger. Where one (1) or more units of city government were contiguous or adjoining prior to merger, their combined population as determined by the last federal census prior to the effective date of merger shall be considered in determining the suburban area of each such city. The department may, from time to time, upon a showing as hereinafter provided, authorize and permit the holder of a suburban bus certificate to extend its operations beyond the territorial limits of any such city or cities for a distance not to exceed ten (10) air miles, if said department finds:
 - (a) That the territory proposed to be served adjoins or is contiguous to said city; and
 - (b) That the territory proposed to be served has such density of population and that the physical, business, economic and social interest is such as to make it an integral part of the city as to which it adjoins or is contiguous and that it would be in the public interest and to the benefit of persons residing in said territory that they be served by the holder of a suburban bus certificate;
 - (c) Where the territory proposed to be served is within the boundaries of an urban-county the department will not consider the merger as a factor in determining whether such area is an integral part of the city to which it adjoins or is contiguous.
- (2) "Commercial area" means territory wholly within the Commonwealth which extends not more than two (2) air miles beyond the corporate limits of any municipality and one (1) mile additional for each fifty thousand (50,000) population or major fraction thereof, and, where one (1) or more municipalities are contiguous or adjoining, the combined population of such contiguous or adjoining municipalities shall be considered in determining the commercial area of each such contiguous or adjoining municipality. Where all units of city and county government have been merged to form an urban-county government, "commercial area" means territory which extends not more than two (2) air miles beyond the corporate limits of any such unit of city government as fixed and established immediately prior to the effective date of the merger and one (1) additional mile for

each fifty thousand (50,000) population or major fraction thereof of said city as determined by the last federal census prior to the effective date of the merger. Where one (1) or more units of city government were contiguous or adjoining prior to merger, their combined population as determined by the last federal census prior to the effective date of merger shall be considered in determining the commercial area of each such city. The department may, from time to time, upon a showing, as hereinafter provided, authorize and permit the holder of a certificate authorizing the transportation of property to extend its operations beyond the territorial limits of any such city or cities for a distance not to exceed ten (10) air miles, if said department finds:

- (a) That the territory proposed to be served adjoins or is contiguous to said city; and
- (b) That the territory proposed to be served has such density of population and that the physical, business, economic and social interest is such as to make it an integral part of the city to which it adjoins or is contiguous and that it would be in the public interest and to the benefit of persons residing in said territory that they be served by the holder of a certificate authorizing the transportation of property.
- (c) Where the territory proposed to be served is within the boundaries of an urban-county the department will not consider the merger as a factor in determining whether such area is an integral part of the city to which it adjoins or is contiguous.

History: Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(2); and ch. 142, sec. 2, effective June 21, 1974. -- Created 1958 Ky. Acts ch. 130, sec. 3.